

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA
v.

2:24-cr-00257-CCW-2

TALYA A LUBIT

ORDER SCHEDULING SENTENCING HEARING

IT IS HEREBY ORDERED that a sentencing hearing for the Defendant will be held before Judge Christy Criswell Wiegand at **10:00 a.m. on September 10, 2025**, in Courtroom 9B, United States Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. If a motion to continue becomes necessary, said motion shall be filed at least 30 days before the above-scheduled hearing.

1. On or before **August 20, 2025**, each counsel shall submit to the Court the following:

- A. A Sentencing Memorandum addressing individually each of the Section 3553(a) factors which counsel deems relevant to this Court's consideration and determination of an appropriate advisory guidelines sentence, including, but not limited to: (a) the potential range of the term of imprisonment; (b) the potential range of the term of supervised release or probation; (c) conditions of supervised release or probation; (d) restitution; and (e) forfeiture. Said Sentencing Memorandum shall also include any requests for variance from the advisory guidelines sentencing range, and any specific sentencing recommendation. Any motion/request for downward or upward departures from the advisory guidelines sentence range, any request for adjustments to the Criminal History Category, or any other matter affecting the calculation of the advisory sentencing guidelines range must be set forth in the Position with Respect to Sentencing Factors

and not be raised for the first time in the Sentencing Memorandum. Failure to raise such issues in a timely manner may result in their denial.

The Court will consider those facts and factors set forth in the Presentence Investigation Report to which there is no dispute, facts and factors that were in dispute but resolved by the Court prior to sentencing, and the particular Section 3553(a) factors that have been specifically identified by the parties as required in Paragraphs 1(A) and (B) of this Order, in arriving at an appropriate sentence. Pursuant to Fed. R. Civ. P. 32(e)(2), the Court will not disclose to any counsel or the Defendant the sentencing recommendation of the Probation Office. The Court will not utilize or rely on any fact not disclosed to counsel and the Defendant in setting the sentence.

- B. A Joint Status Report stating whether an evidentiary hearing is needed on any matter that is relevant to sentencing, including departure motions and requests for variance from the guidelines. In deciding whether an evidentiary hearing is necessary, counsel need not take into account the Defendant's allocution or statements by family members, friends and other persons speaking generally on behalf of the Defendant in support of mitigation. If either counsel requests an evidentiary hearing, the Joint Status Report shall identify each witness who will be called, the party calling each witness, the subject matter and brief summary of each witness's testimony, and a good faith estimate of the time each witness will testify on direct and cross examination.
2. Any response to the Sentencing Memorandums shall be filed no later than **August 27, 2025**.
3. As to a Defendant who is in custody, counsel is advised that any consultation with the Defendant necessary in preparation for a scheduled Court proceeding shall occur prior to said proceeding in

the office of the United States Marshal. The Court expects counsel to be prepared to proceed with any Court proceeding promptly at the scheduled time. It is counsel's responsibility to arrive at the U.S. Marshal's Office sufficiently in advance of the Court proceeding to provide adequate time for consultation and preparation. Counsel for the United States is responsible for obtaining any necessary writs for the appearance of the Defendant. As to a Defendant not in custody, counsel for the United States shall advise the Court and counsel for the Defendant of its position regarding custody issues post-sentencing at least twenty-four (24) hours in advance of the sentencing hearing.

SO ORDERED this 15th day of May 2025.

/s/ Christy Criswell Wiegand
CHRISTY CRISWELL WIEGAND
United States District Judge

cc: All counsel of record